ORDINANCE No. 124077

COUNCIL BILL No. 117659

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2011 Supplemental and 2012 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund.

COMPTROLLER FILE No. _____

Introduced: 11/19/12	By: Bagshaw
Referred:	To: Parks and Neighborhoods
Referred:	To:
Referred:	To:
Reported:	Second Reading:
Third Reading: 12.10.12	Signed: 12.10.12
Presented to Mayor: 12.12.12	Approved: 12/17/12
Returned to City Clerk: 12/19/12	Published: Title
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

US5047

The City of Seattle--Legislative Department

Date Reported and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommed that the same:

12/6/12 Approve SB, JG, [illegible] 3-0

12.10.12 Passed 8-0 excused TR

Law Department

Committee Chair

SMEAD 45 YSP 17703

Chip Nevins
DPR Conservation Futures Levy 12 ORD
September 6, 2012
Version #2

CITY OF SEATTLE

ORDINANCE 124077

COUNCIL BILL 117659

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2011 Supplemental and 2012 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund.

WHEREAS, in 1989, King County Ordinance 9128 established the Conservation Futures Levy ("CFL") Fund, appropriated CFL proceeds to the City of Seattle ("City"), and established conditions for use of the proceeds, including allowable projects, costs, and expenses; and

WHEREAS, in 1990, City Ordinance 114978 authorized the CFL Interlocal Cooperation Agreement with King County to govern the receipt and use of CFL proceeds, and to define the specific projects ("Projects") approved by King County for acquisitions using CFL proceeds; and

WHEREAS, the City and King County have previously amended the CFL Interlocal Cooperation Agreement to add additional Projects and to provide for additional allocations of CFL proceeds; and

WHEREAS, the King County Council passed Ordinance 17181on September 6, 2011, which appropriated a total of $60,000 in CFL proceeds to the City of Seattle for the Thornton Creek Park #6 Natural Area and Lake City Urban Village Park acquisition projects; and

WHEREAS, the King County Council also passed Ordinance 17242 on December 12, 2011, authorizing the King County Executive to enter into interlocal agreements with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 17181; and

WHEREAS, the King County Council passed Ordinance 17232, the 2012 County Budget Ordinance, on November 9, 2011, which appropriated a total of $2,395,000 in CFL proceeds to the City of Seattle for Northeast Capitol Hill Urban Center Park, University District Urban Center Park, Wedgwood Neighborhood Park, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area acquisition projects; and

WHEREAS, the King County Council also passed Ordinance 17345 on June 18, 2012, authorizing the King County Executive to enter into interlocal agreements with the City of Seattle and the suburban cities for the disbursement of CFL proceeds appropriated under the 2012 County Budget Ordinance, Ordinance 17232; NOW, THEREFORE,

COUNCIL CLERK

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Mayor or his designee is hereby authorized to negotiate and enter into an amendment to the Conservation Futures Levy ("CFL") Interlocal Cooperation Agreement, substantially in the form of Exhibit A ("Amendment"), to provide for the City's receipt and use of up to $2,455,000 from the 2011 supplemental and 2012 King County allocations of CFL proceeds. The Amendment will also add an Attachment AA to the list of Projects in the CFL Interlocal Cooperation Agreement to include the Thornton Creek Park #6 Natural Area, Lake City Urban Village Park, Northeast Capitol Hill Urban Center Park, University District Urban Center Park, Wedgwood Neighborhood Park, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area acquisition projects.

Section 2. Funds received pursuant to the Amendment shall be deposited as follows:

Fund	Department	Budget Control Level/Capital Improvement Program	Amount (Up To)
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Park Acquisitions - K720010	$1,885,000
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Green Space Acquisitions K720011	$570,000

COUNCIL CLERK

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 10th day of December, 2012, and signed by me in open session in authentication of its passage this 10th day of December, 2012.

President _____ of the City Council

Approved by me this 17th day of December, 2012.

Michael McGinn, Mayor

Filed by me this 19th day of December, 2012.

Monica Martinez Simmons, City Clerk

(Seal)

Exhibit A: Amendment to the Conservation Futures Interlocal Cooperation Agreement between King County and the City of Seattle for Open Space Acquisition Projects

Attachment AA to Exhibit A: 2011 (Supplemental) and 2012 Conservation Futures Levy City of Seattle Allocations

COUNCIL CLERK

Exhibit A

AMENDMENT TO THE CONSERVATION FUTURES INTERLOCAL COOPERATION AGREEMENT BETWEEN KING COUNTY AND THE CITY OF SEATTLE FOR OPEN SPACE ACQUISITION PROJECTS

Preamble

The King County Council, through Ordinance 9128, has established a Conservation Futures Levy Fund and appropriated proceeds to King County, the City of Seattle, and certain suburban cities through the procedures set forth in Ordinance 8867, as amended by Ordinance 14714. This amendment is entered into to provide for the allocation of additional funds made available for open space acquisition.

THIS AMENDMENT is entered into between the CITY OF SEATTLE and KING COUNTY, and amends and attaches to and is part thereof of the existing Interlocal Cooperation Agreement entered into between the parties on the 5th day of June, 1990, as previously amended.

The parties agree to the following amendments:

Amendment 1: Article 1. Recitals

A paragraph is hereby added to the Recitals Section to provide for a Conservation Futures Levy Fund allocation for the Thornton Creek Park #6 Natural Area, Lake City Urban Village Park, Northeast Capitol Hill UCP, University District UCP, Wedgwood Neighborhood Park, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area Acquisition Projects, and hereafter reads:

- On September 6, 2011, the King County Council passed Ordinance 17181, which appropriated a total of Sixty Thousand Dollars ($60,000) in CFL proceeds to the City of Seattle for the Thornton Creek Park #6 Natural Area and Lake City Urban Village Park Acquisition Projects. On December 12, 2011, the King County Council passed Ordinance 17242, authorizing the King County Executive to enter into interlocal agreements with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 17181.

- On November 9, 2011, the King County Council passed Ordinance 17232, which appropriated a total of Two Million, Three Hundred and Ninety Five Thousand Dollars ($2,395,000) in CFL proceeds to the City of Seattle for the Northeast Capitol Hill UCP, University District UCP, Wedgwood Neighborhood Park, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area Acquisition Projects. On June 18, 2012, the King County Council passed Ordinance 17345, authorizing the King County Executive to enter into interlocal agreements with the City of Seattle and the suburban cities for the disbursement of Conservation Futures Funds in Ordinance 17232.

COUNCIL CLERK

Exhibit A

Amendment 2: Article V. Conditions of Agreement

Section 5.1 is amended to include Attachment AA, which lists 2011 supplemental and 2012 Conservation Futures Levy allocations for the Thornton Creek Park #6 Natural Area, Lake City Urban Village Park Northeast Capitol Hill UCP, University District UCP, Wedgwood Neighborhood Park, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area Acquisition Projects.

Amendment 3: Article VII. Responsibilities of County

The first two sentences of this article are amended to include Attachment AA, which lists 2011 supplemental and 2012 Conservation Futures Levy proceeds allocations for the Thornton Creek Park #6 Natural Area, Lake City Urban Village Park, Northeast Capitol Hill UCP, University District UCP, Wedgwood Neighborhood Park, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area Acquisition Projects:

> Subject to the terms of this agreement, the County will provide Conservation Futures Levy Funds in the amounts shown in Attachments A through AA to be used for the Projects listed in Attachments A through AA. The City may request additional funds; however, the County has no obligation to provide funds to the City for the Projects in excess of the total amounts shown in Attachments A through AA. The County assumes no obligation for the future support of the Projects described herein, except as expressly set forth in this agreement.

Amendment 4: Attachment AA

The attachments to the interlocal agreement are hereby amended to include references to Attachment AA, which is hereby attached to the interlocal agreement, incorporated therein, and made a part thereof.

In all other respects, the terms, conditions, duties, and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

This document shall be attached to the existing Interlocal Cooperation Agreement.

COUNCIL CLERK

Exhibit A

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces set forth below:

KING COUNTY	CITY OF SEATTLE
Dow Constantine King County Executive	Michael McGinn Mayor
Date	Date
Acting under the authority of Ordinances 17242 and 17345 Dated: December 12, 2011 and June 18, 2012	Acting under the authority of Ordinance Dated:
Approved as to form:	Approved as to form:
Dan Satterberg King County Prosecuting Attorney	Peter S. Holmes Seattle City Attorney

COUNCIL CLERK

Attachment AA
to Exhibit A

ATTACHMENT AA

2011 (SUPPLEMENTAL) AND 2012 CONSERVATION FUTURES LEVY CITY OF SEATTLE ALLOCATIONS

Jurisdiction	Project	Allocation
Seattle (Ordinance 17181)	Thornton Creek Park #6 Natural Area	$30,000
Seattle (Ordinance 17181)	Lake City Urban Village Park	$30,000
Seattle (Ordinance 17232)	Northeast Capitol Hill UCP	$855,000
Seattle (Ordinance 17232)	University District UCP	$500,000
Seattle (Ordinance 17232)	Wedgwood Neighborhood Park	$500,000
Seattle (Ordinance 17232)	Carkeek Park Addition	$155,000
Seattle (Ordinance 17232)	West Duwamish Greenbelt	$180,000
Seattle (Ordinance 17232)	Leschi Natural Area	$205,000
TOTAL		**$2,455,000**

Project Descriptions:

(Ordinance 71181):

315404 Seattle - Thornton Creek Park #6 Natural Area
2011: This project is a one-parcel urban stream corridor acquisition project in north Seattle that is located three blocks from Northgate Mall. The project will receive an additional $30,000 to help meet a project funding shortfall. The project site has a rare large Sequoia tree that will be accessible to the public.

315449 Seattle - Lake City Urban Village Park
2011: $30,000 will be re-allocated to this project to acquire a new .25 acre passive open space park site in the Lake City Hub Urban Village in Seattle. The project was funded last year and has a shortfall, and this re-allocation from the abandoned Lake Forest Park 40th Place Greenbelt project, which is located a few miles the north, will help meet the funding shortfall.

COUNCIL CLERK

Attachment AA
to Exhibit A

(Ordinance 71232):

315451 Seattle - NE Capitol Hill UCP
This project consists of the acquisition of 2 parcels totaling .28 acres at Federal Avenue East and East Republican Street, in Seattle's Capitol Hill Neighborhood. The property will provide community open space in this underserved neighborhood.

315452 Seattle - University District UCP
The goal of this project is to acquire a new neighborhood park south of 45th Street in the designated University District Urban Village in Seattle. A specific site will be identified through a community planning process, with final approval by King County.
Project funding contingency: Before CFT funds are disbursed to Seattle for this project, Seattle will propose a final site location to the Conservation Futures Citizens Committee, which will make a recommendation to King County, before King County grants final site location and approval.

315453 Seattle – Wedgwood Neighborhood Park
The goal of this project is to acquire a .33-acre community park in Seattle's Wedgewood neighborhood. The park is located on 35th Avenue at NE 86th Street and is a former Seattle City Light substation.

315454 Seattle - Carkeek Park Addition
This project will acquire an important 1.65-acre wooded inholding on the edge of Carkeek Park along Carkeek Park Road in Northwest Seattle. The parcel is strategically located between the two major land areas of the park and development of it would negatively impact the park. Acquisition of the property will also buffer Pipers Creek and the Pipers Creek Trail.

315455 Seattle - West Duwamish Greenbelt
This project will acquire a 4.14-acre addition to the West Duwamish Greenbelt, located along West Marginal Way, west of the Duwamish ship canal in West Seattle. This acquisition will continue Seattle's long-term efforts to preserve this highly visible greenbelt, which also buffers the residential neighborhood to the west from the industrial activities of the ship canal.

315456 Seattle - Leschi Natural Area
This is a .16-acre acquisition of a wooded property that is an inholding in the Leschi Natural Area, located on East Terrace Street in the Leschi neighborhood of Seattle. The property connects two halves of the natural area.

City of Seattle: **$2,455,000**
Thornton Creek Park #6 Natural Area, Lake City Urban Village Park Northeast Capitol Hill UCP, University District UCP, Wedgwood Neighborhood Park, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area Acquisition Projects

COUNCIL CLERK

Form revised: December 6, 2011

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris / 684-8018	Jeff Muhm / 684-8049

Legislation Title:
AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2011 Supplemental and 2012 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund.

Summary and background of the Legislation:
This legislation authorizes the Mayor to amend the existing Conservation Futures Levy (CFL) Interlocal Cooperation Agreement between the City of Seattle and King County to add eight projects to the list of King County-approved acquisition projects. A detailed description of the projects can be found in Attachment AA to the amended agreement.

The eight acquisition projects were included in the 2008 Parks and Green Spaces Levy (2008 Parks Levy), and CFL funds will be used to partially reimburse the costs of each project. The total amount of CFL funds provided by King County in the 2011 supplemental and 2012 budget is $2,455,000. The projects being funded include:

- Lake City Urban Village Park (Acquired September 2010)
- Thornton Creek Park #6 Natural Area Addition (Acquired January 2010)
- Northeast Capitol Hill Urban Center Park (UCP) (Acquired June 2010)
- University District Urban Center Park (UCP) (Acquired September 2012)
- Wedgwood Neighborhood Park (not yet acquired)
- West Duwamish Greenbelt Addition (not yet acquired)
- Leschi Natural Area Addition (not yet acquired)
- Carkeek Park Addition (Acquired May 2011)

The CFL is a county-wide property tax collected by King County for the acquisition of open space, agricultural or timber lands. From 1990 to 1997, King County allocated the CFL proceeds among incorporated and unincorporated areas, based on project applications by local governments, citizen groups and individual citizens. In 2001, the County re-established the application process for allocating the CFL proceeds. Among the requirements is the provision of at least a 50 percent matching contribution by the applicant. Ordinance 122749, which authorized the 2008 Parks Levy, anticipated that the costs of the projects might exceed actual levy revenues and provided authority to use 2008 Parks Levy funds to leverage outside funding sources to enhance these projects.

COUNCIL

The CFL reimbursements will be deposited in the 2008 Parks Levy Fund (Fund 33860) and will provide reimbursement for the eight projects as follows:

- $1,570,000 will reimburse prior acquisition costs for five projects including Lake City Urban Village Park, Thornton Creek Park #6 Natural Area Addition, Northeast Capitol Hill Urban Center Park, Carkeek Park Addition and University District Urban Center Park; and

- $885,000 will reimburse future acquisition costs for the Wedgwood Neighborhood Park, West Duwamish Greenbelt, and Leschi Natural Area projects.

Before CFL funds are disbursed to the City for the University District project, the City needs to specify the final site location to the Conservation Futures Citizens Committee, which will make a recommendation to the King County Council, before King County grants final approval for reimbursement.

The original appropriation authority for the five completed projects was previously legislated: Ordinance 123945 authorized appropriations for University District UCP ($967,617). Ordinance 123391 authorized appropriations for Lake City Urban Village Park ($930,000). Ordinance 123363 provided appropriation for Neighborhood Parks ($5,000,000) some of which was transferred to NE Capitol Hill UCP ($2,051,491). Ordinance 122959 authorized expenditures for Thornton Creek Park #6 ($416,079) and Carkeek Park ($348,446).

COUNCIL CLERK

The following table summarizes the location and timeline for each project.

Project Name:	**Project I.D.:**	**Project Location:**	**Start Date:**	**End Date:**
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	Lake City Urban Village Park	January 2009	September 2010 (acquired)
Green Space Acquisitions- 2008 Parks Levy	K730011	Thornton Creek Park #6 Addition	January 2009	January 2010 (acquired)
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	Northeast Capitol Hill UCP	January 2009	June 2010 (acquired)
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	University District UCP	January 2011	September 2012 (acquired)
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	Wedgwood Neighborhood Park	January 2010	Dec. 2012
Green Space Acquisitions- 2008 Parks Levy	K730011	West Duwamish Greenbelt	January 2010	September 2013
Green Space Acquisitions- 2008 Parks Levy	K730011	Carkeek Park Addition	January 2010	May. 2011 (acquired)
Green Space Acquisitions- 2008 Parks Levy	K730011	Leschi Natural Area	June 2010	June 2013

____ **This legislation creates, funds, or anticipates a new CIP Project.**

____ **This legislation does not have any financial implications.**

__X__ **This legislation has financial implications.**

COUNCIL CLERK

Appropriations: N/A

Fund Name and Number	Department	Budget Control Level*	Existing 2011 Appropriation	New 2011 Appropriation (if any)	2012 Anticipated Appropriation
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Appropriations Notes: This legislation does not appropriate any funds.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget (000)	2010	2011	2012	2013	2014	2015
Lake City Urban Village Park	923					
Thornton Creek Park #6 Addition	416					
NE Capitol Hill UCP	2,051					
Carkeek Park Addition		348				
Wedgwood Neighborhood Park				1,200		
University District UCP			968			
West Duwamish Greenbelt				360		
Leschi Natural Area				410		
Total	3,390	348	968	1,970		

Future Appropriations (000)	2010	2011	2012	2013	2014	2015
Wedgwood Neighborhood Park				1,200		
West Duwamish Greenbelt				360		
Leschi Natural Area				410		
Total				**1,970**		

Spending Plan and Budget Notes: The spending plan and future appropriation information applies only to these acquisitions. For Neighborhood Park Acquisitions (K730010), appropriations are requested with legislation authorizing each acquisition. For Green Space Acquisitions (K730011), appropriations are included in the annual CIP. Future appropriations will be made in subsequent legislation for the Wedgwood Neighborhood Park acquisition project.

Funding Source: N/A

Funding Source (Fund Name and Number, if applicable)	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**Total**
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Funding Source Notes: Funding for prior projects was appropriated in the legislation noted in the above section.

Bond Financing Required: N/A

Type	**Amount**	**Assumed Interest Rate**	**Term**	**Timing**	**Expected Annual Debt Service/Payment**
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Bond Notes:

Uses and Sources for Operation and Maintenance Costs for the Project:

O&M	2011	2012	2013	2014	2015	2016	Total
Uses							
Start Up							
On-going							
Sources (itemize)	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Operation and Maintenance Notes:

O&M notes per project:

Lake City Urban Village Park**:** This site was purchased in 2010, with a commercial building subject to existing office leases. DPR has no immediate plans to develop the park and will keep the existing leases. The O&M for the maintenance of the property has already been identified in previous legislation authorizing the acquisition.

Thornton Creek Park #6**:** This property was purchased in 2010. The property is currently being maintained by DPR as undeveloped green space along with the rest of Thornton Creek Natural Area.

Northeast Capitol Hill UCP: This site was purchased in 2010 and DPR has no immediate plans to develop the park. The O&M for the maintenance of the property has already been identified in previous legislation authorizing the acquisition.

University District UCP: This site was purchased in 2012 with a single family structure on it; the building will be demolished. DPR has no immediate plans to develop the park. The O&M for the maintenance of the property was identified in legislation authorizing the acquisition.

Wedgwood Neighborhood Park: This site has not been acquired yet. The O&M for the maintenance of the property will be identified in legislation authorizing the acquisition.

Carkeek Park Addition: This property was purchased in 2011. The property is currently being maintained by DPR as undeveloped green space along with the rest of Carkeek Park.

West Duwamish Greenbelt: This site has not been acquired yet. When acquired, the property will be maintained by DPR as undeveloped green space along with the rest of the West Duwamish Greenbelt.

Leschi Natural Area: This site has not been acquired yet. When acquired, the property will be maintained by DPR as undeveloped green space along with the rest of the Leschi Natural Area.

Periodic Major Maintenance Costs for the Project: N/A

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	**N/A**	**N/A**	**N/A**

Funding sources for replacement of project: N/A

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2011 Positions	2011 FTE	2012 Positions **	2012 FTE **
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Position Notes:

Do positions sunset in the future? N/A

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?** No.

b) **What is the financial cost of not implementing the legislation?** The City would forgo $2,455,000 in payments and reimbursements from King County CFL proceeds.

c) **Does this legislation affect any departments besides the originating department?** No.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No alternative has been identified, other than forgoing the reimbursements. While other revenue sources for reimbursement (such as grants) might be pursued, these are generally unavailable retroactively and competitive criteria for most grant programs tend not to favor these types of acquisitions.

e) **Is a public hearing required for this legislation?** No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** No.

COUNCIL CLERK

g) **Does this legislation affect a piece of property?**
Yes, this legislation affects eight properties.

h) **Other Issues:** None

List attachments to the fiscal note below:
Attachment A: Map of Lake City Urban Village Park
Attachment B: Map of Capitol Hill Urban Center Park
Attachment C: Map of University District Urban Center Park
Attachment D: Map of Wedgwood Neighborhood Park
Attachment E: Map of Thornton Creek Park Natural Area #6
Attachment F: Map of Carkeek Park Addition
Attachment G: Map of West Duwamish Greenbelt
Attachment H: Map of Leschi Natural Area

COUNCIL CLERK

Form revised: December 6, 2011

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris / 684-8018	Jeff Muhm / 684-8049

Legislation Title:
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Summary and background of the Legislation:
This legislation authorizes the Mayor to amend the existing Conservation Futures Levy (CFL) Interlocal Cooperation Agreement between the City of Seattle and King County to add eight projects to the list of King County-approved acquisition projects. A detailed description of the projects can be found in Attachment AA to the amended agreement.

The eight acquisition projects were included in the 2008 Parks and Green Spaces Levy (2008 Parks Levy), and CFL funds will be used to partially reimburse the costs of each project. The total amount of CFL funds provided by King County in the 2011 supplemental and 2012 budget is $2,455,000. The projects being funded include:

- Lake City Urban Village Park (Acquired September 2010)
- Thornton Creek Park #6 Natural Area Addition (Acquired January 2010)
- Northeast Capitol Hill Urban Center Park (UCP) (Acquired June 2010)
- University District Urban Center Park (UCP) (Acquired September 2012)
- Wedgwood Neighborhood Park (not yet acquired)
- West Duwamish Greenbelt Addition (not yet acquired)
- Leschi Natural Area Addition (not yet acquired)
- Carkeek Park Addition (Acquired May 2011)

The CFL is a county-wide property tax collected by King County for the acquisition of open space, agricultural or timber lands. From 1990 to 1997, King County allocated the CFL proceeds among incorporated and unincorporated areas, based on project applications by local governments, citizen groups and individual citizens. In 2001, the County re-established the application process for allocating the CFL proceeds. Among the requirements is the provision of at least a 50 percent matching contribution by the applicant. Ordinance 122749, which authorized the 2008 Parks Levy, anticipated that the costs of the projects might exceed actual levy revenues and provided authority to use 2008 Parks Levy funds to leverage outside funding sources to enhance these projects.

COUNCIL CLERK

The CFL reimbursements will be deposited in the 2008 Parks Levy Fund (Fund 33860) and will provide reimbursement for the eight projects as follows:

- $1,570,000 will reimburse prior acquisition costs for five projects including Lake City Urban Village Park, Thornton Creek Park #6 Natural Area Addition, Northeast Capitol Hill Urban Center Park, Carkeek Park Addition and University District Urban Center Park; and

- $885,000 will reimburse future acquisition costs for the Wedgwood Neighborhood Park, West Duwamish Greenbelt, and Leschi Natural Area projects.

Before CFL funds are disbursed to the City for the University District project, the City needs to specify the final site location to the Conservation Futures Citizens Committee, which will make a recommendation to the King County Council, before King County grants final approval for reimbursement.

The original appropriation authority for the five completed projects was previously legislated: Ordinance 123945 authorized appropriations for University District UCP ($967,617). Ordinance 123391 authorized appropriations for Lake City Urban Village Park ($930,000). Ordinance 123363 provided appropriation for Neighborhood Parks ($5,000,000) some of which was transferred to NE Capitol Hill UCP ($2,051,491). Ordinance 122959 authorized expenditures for Thornton Creek Park #6 ($416,079) and Carkeek Park ($348,446).

COUNCIL CLERK

The following table summarizes the location and timeline for each project.

Project Name:	**Project I.D.:**	**Project Location:**	**Start Date:**	**End Date:**
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	Lake City Urban Village Park	January 2009	September 2010 (acquired)
Green Space Acquisitions- 2008 Parks Levy	K730011	Thornton Creek Park #6 Addition	January 2009	January 2010 (acquired)
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	Northeast Capitol Hill UCP	January 2009	June 2010 (acquired)
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	University District UCP	January 2011	September 2012 (acquired)
Neighborhood Park Acquisitions- 2008 Parks Levy	K730010	Wedgwood Neighborhood Park	January 2010	Dec. 2012
Green Space Acquisitions- 2008 Parks Levy	K730011	West Duwamish Greenbelt	January 2010	September 2013
Green Space Acquisitions- 2008 Parks Levy	K730011	Carkeek Park Addition	January 2010	May. 2011 (acquired)
Green Space Acquisitions- 2008 Parks Levy	K730011	Leschi Natural Area	June 2010	June 2013

____ **This legislation creates, funds, or anticipates a new CIP Project.**

____ **This legislation does not have any financial implications.**

__X__ **This legislation has financial implications.**

CITY COUNCIL CLERK

Appropriations: N/A

Fund Name and Number	Department	Budget Control Level*	Existing 2011 Appropriation	New 2011 Appropriation (if any)	2012 Anticipated Appropriation
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Appropriations Notes: This legislation does not appropriate any funds.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget (000)	2010	2011	2012	2013	2014	2015
Lake City Urban Village Park	$923					
Thornton Creek Park #6 Addition	$416					
NE Capitol Hill UCP	$2,051					
Carkeek Park Addition		$348				
Wedgwood Neighborhood Park				$1,200		
University District UCP			$68			
West Duwamish Greenbelt				$360		
Leschi Natural Area				$410		
Total	$3,390	$348	$968	$1,970		

COUNCIL CLERK

Future Appropriations (000)	2010	2011	2012	2013	2014	2015
Wedgwood Neighborhood Park				$1,200		
West Duwamish Greenbelt				$360		
Leschi Natural Area				$410		
Total				**$1,970**		

Spending Plan and Budget Notes: The spending plan and future appropriation information applies only to these acquisitions. For Neighborhood Park Acquisitions (K730010), appropriations are requested with legislation authorizing each acquisition. For Green Space Acquisitions (K730011), appropriations are included in the annual CIP. Future appropriations will be made in subsequent legislation for the Wedgwood Neighborhood Park acquisition project.

Funding Source: N/A

Funding Source (Fund Name and Number, if applicable)	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**Total**
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Funding Source Notes: Funding for prior projects was appropriated in the legislation noted in the above section.

Bond Financing Required: N/A

Type	**Amount**	**Assumed Interest Rate**	**Term**	**Timing**	**Expected Annual Debt Service/Payment**
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Bond Notes:

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Uses and Sources for Operation and Maintenance Costs for the Project:

O&M	2011	2012	2013	2014	2015	2016	Total
Uses							
Start Up							
On-going							
Sources (itemize)	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Operation and Maintenance Notes:

O&M notes per project:

Lake City Urban Village Park**:** This site was purchased in 2010, with a commercial building subject to existing office leases. DPR has no immediate plans to develop the park and will keep the existing leases. The O&M for the maintenance of the property has already been identified in previous legislation authorizing the acquisition.

Thornton Creek Park #6**:** This property was purchased in 2010. The property is currently being maintained by DPR as undeveloped green space along with the rest of Thornton Creek Natural Area.

Northeast Capitol Hill UCP: This site was purchased in 2010 and DPR has no immediate plans to develop the park. The O&M for the maintenance of the property has already been identified in previous legislation authorizing the acquisition.

University District UCP: This site was purchased in 2012 with a single family structure on it; the building will be demolished. DPR has no immediate plans to develop the park. The O&M for the maintenance of the property was identified in legislation authorizing the acquisition.

Wedgwood Neighborhood Park: This site has not been acquired yet. The O&M for the maintenance of the property will be identified in legislation authorizing the acquisition.

Carkeek Park Addition: This property was purchased in 2011. The property is currently being maintained by DPR as undeveloped green space along with the rest of Carkeek Park.

West Duwamish Greenbelt: This site has not been acquired yet. When acquired, the property will be maintained by DPR as undeveloped green space along with the rest of the West Duwamish Greenbelt.

Leschi Natural Area: This site has not been acquired yet. When acquired, the property will be maintained by DPR as undeveloped green space along with the rest of the Leschi Natural Area.

Periodic Major Maintenance Costs for the Project: N/A

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	N/A	N/A	N/A

Funding sources for replacement of project: N/A

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2011 Positions	2011 FTE	2012 Positions **	2012 FTE **
TOTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Position Notes:

Do positions sunset in the future? N/A

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?** No.

b) **What is the financial cost of not implementing the legislation?** The City would forgo $2,455,000 in payments and reimbursements from King County CFL proceeds.

c) **Does this legislation affect any departments besides the originating department?** No.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No alternative has been identified, other than forgoing the reimbursements. While other revenue sources for reimbursement (such as grants) might be pursued, these are generally unavailable retroactively and competitive criteria for most grant programs tend not to favor these types of acquisitions.

e) **Is a public hearing required for this legislation?** No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** No.

CITY COUNCIL CLERK

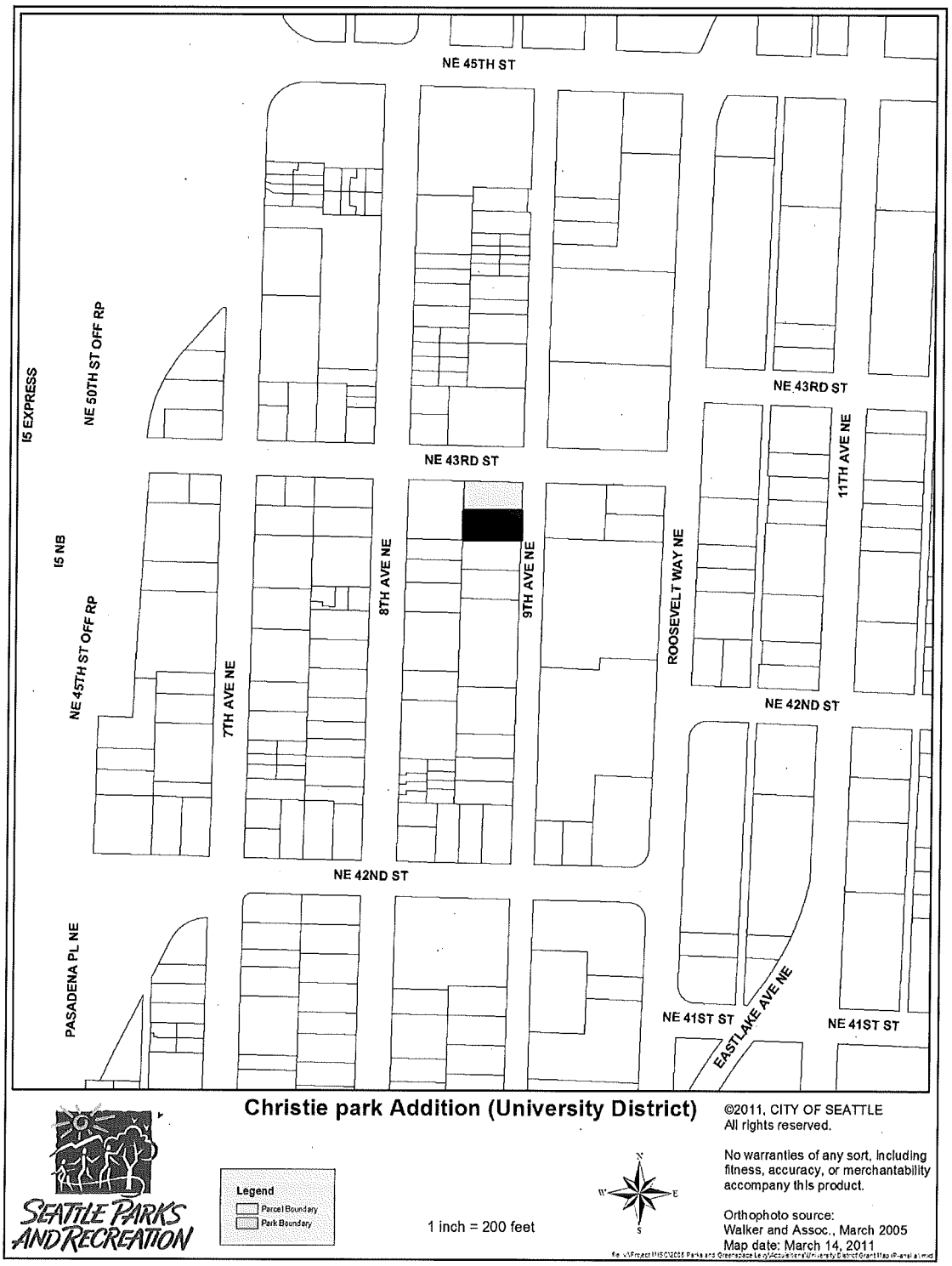
g) **Does this legislation affect a piece of property?**
Yes, this legislation affects eight properties.

h) **Other Issues:** None

List attachments to the fiscal note below:
Attachment A: Map of Lake City Urban Village Park
Attachment B: Map of Capitol Hill Urban Center Park
Attachment C: Map of University District Urban Center Park
Attachment D: Map of Wedgwood Neighborhood Park
Attachment E: Map of Thornton Creek Park Natural Area #6
Attachment F: Map of Carkeek Park Addition
Attachment G: Map of West Duwamish Greenbelt
Attachment H: Map of Leschi Natural Area

COUNCIL CLERK

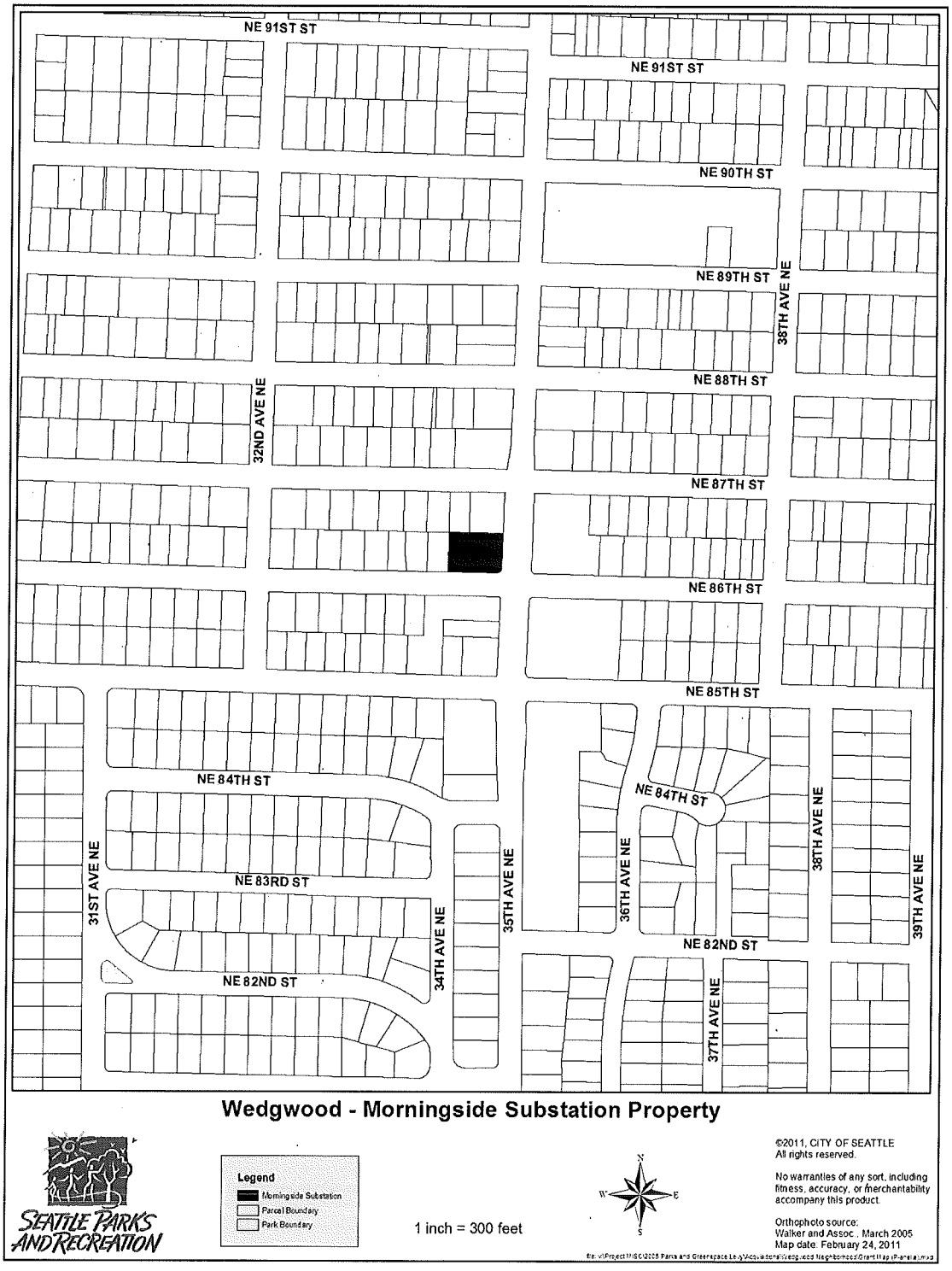
ATTACHMENT C: Map of University District Urban Center Park Acquisition



This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation

COUNCIL CLERK

ATTACHMENT D: Map of Wedgwood Neighborhood Park Acquisition



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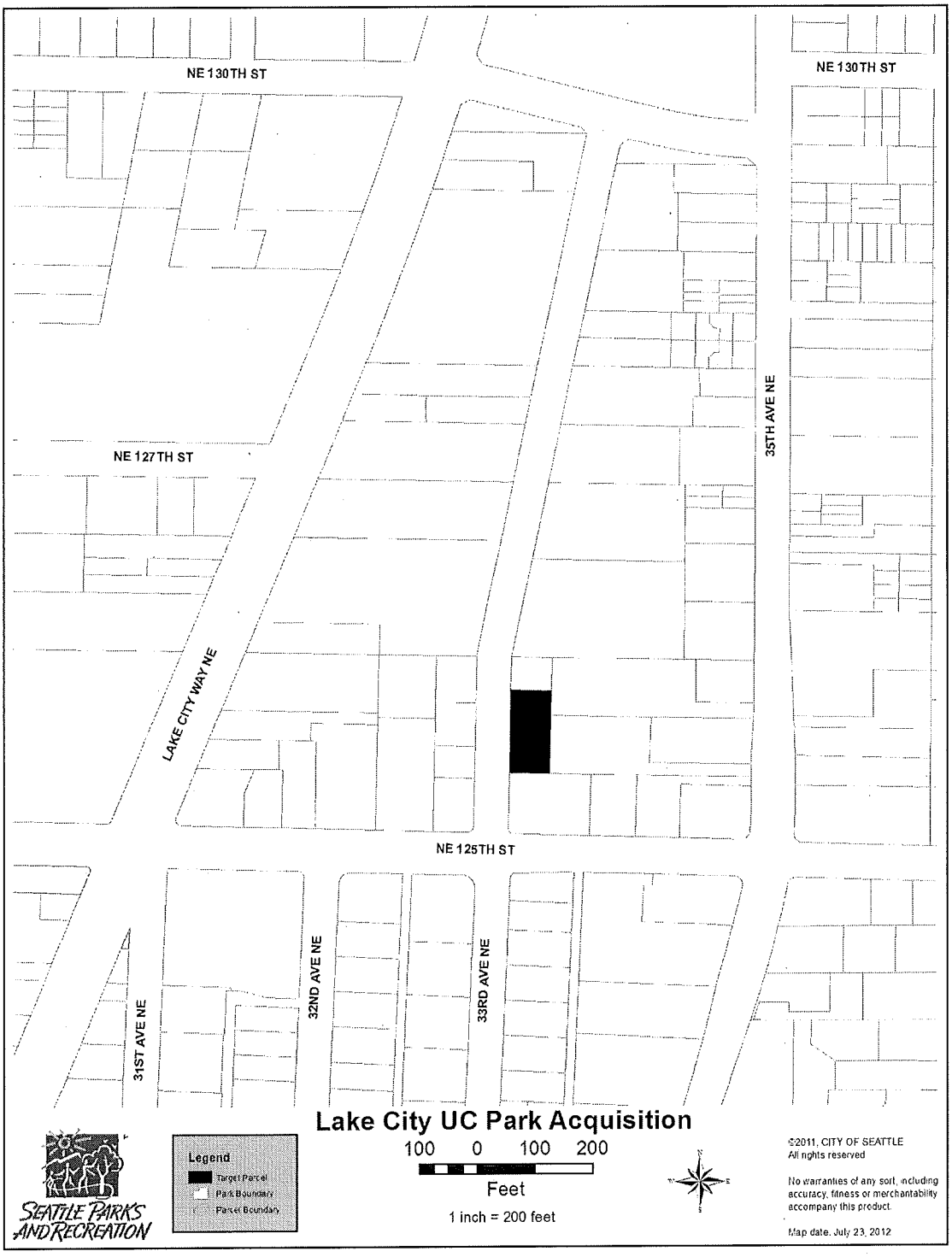
Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT A
September 6, 2012
Version #1

ATTACHMENT A: Map of Lake City Urban Village Park Acquisition



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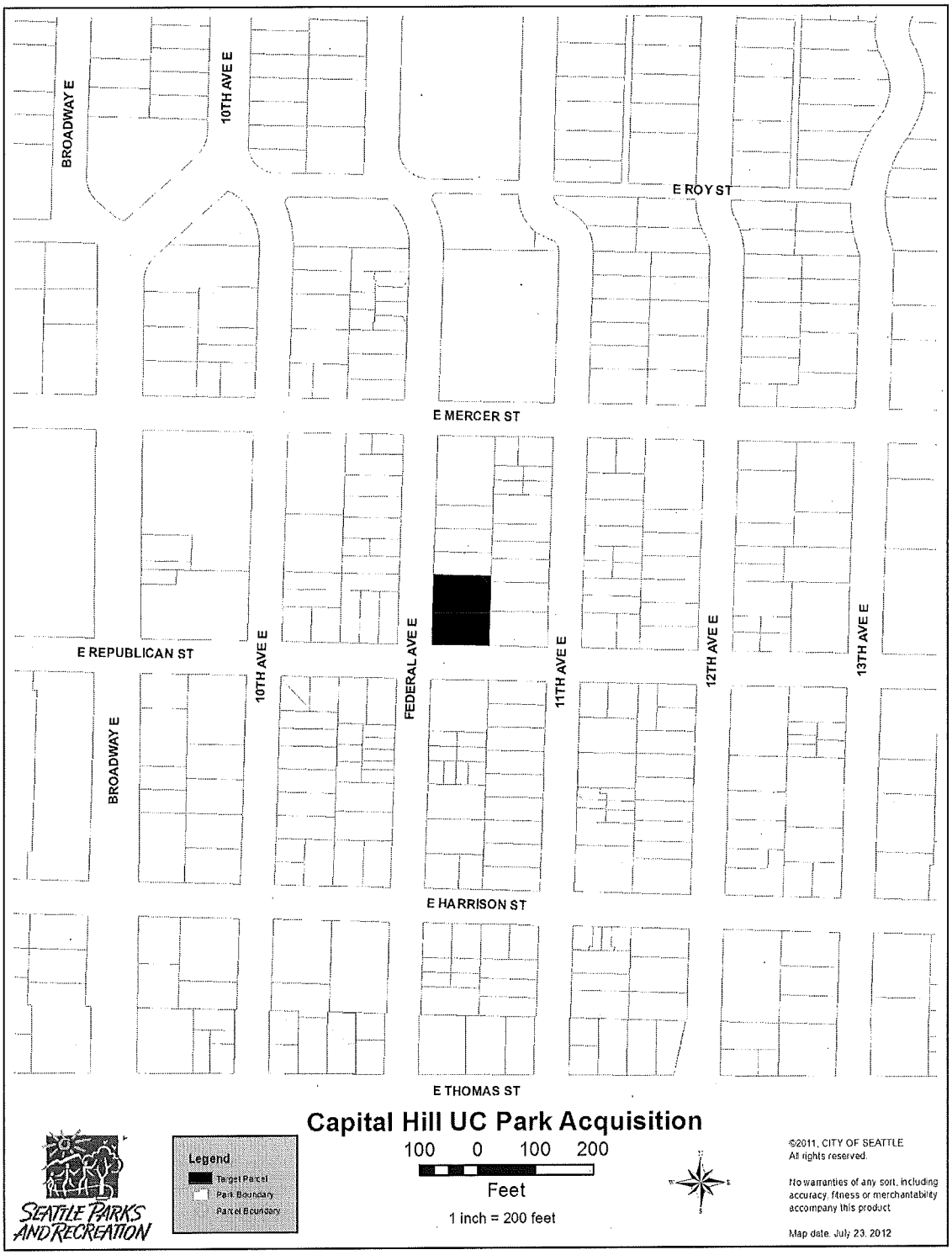
Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT B
September 6, 2012
Version #1

ATTACHMENT B: Map of Capitol Hill Urban Center Park Acquisition



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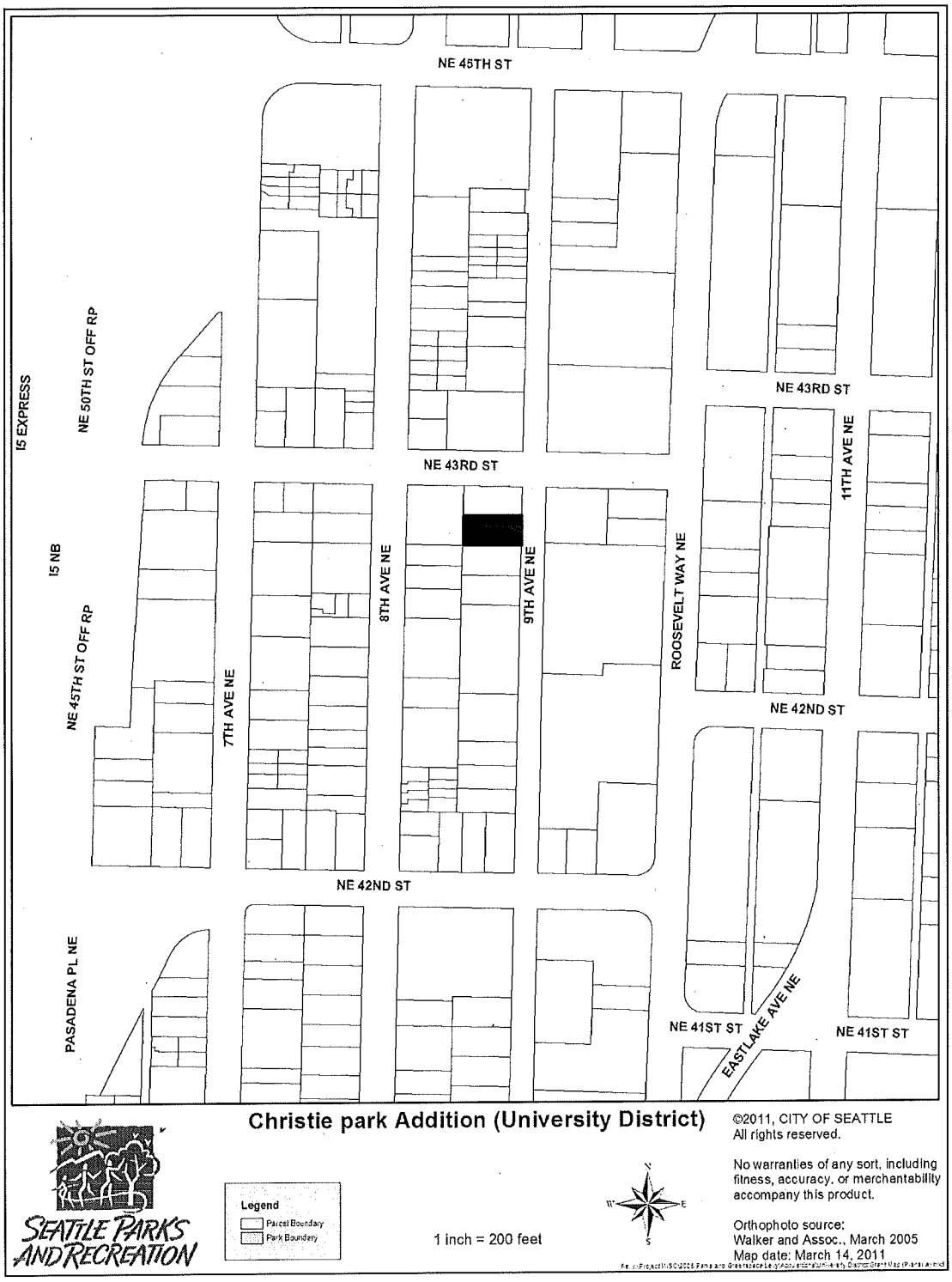
Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT C
September 6, 2012
Version #1

ATTACHMENT C: Map of University District Urban Center Park Acquisition



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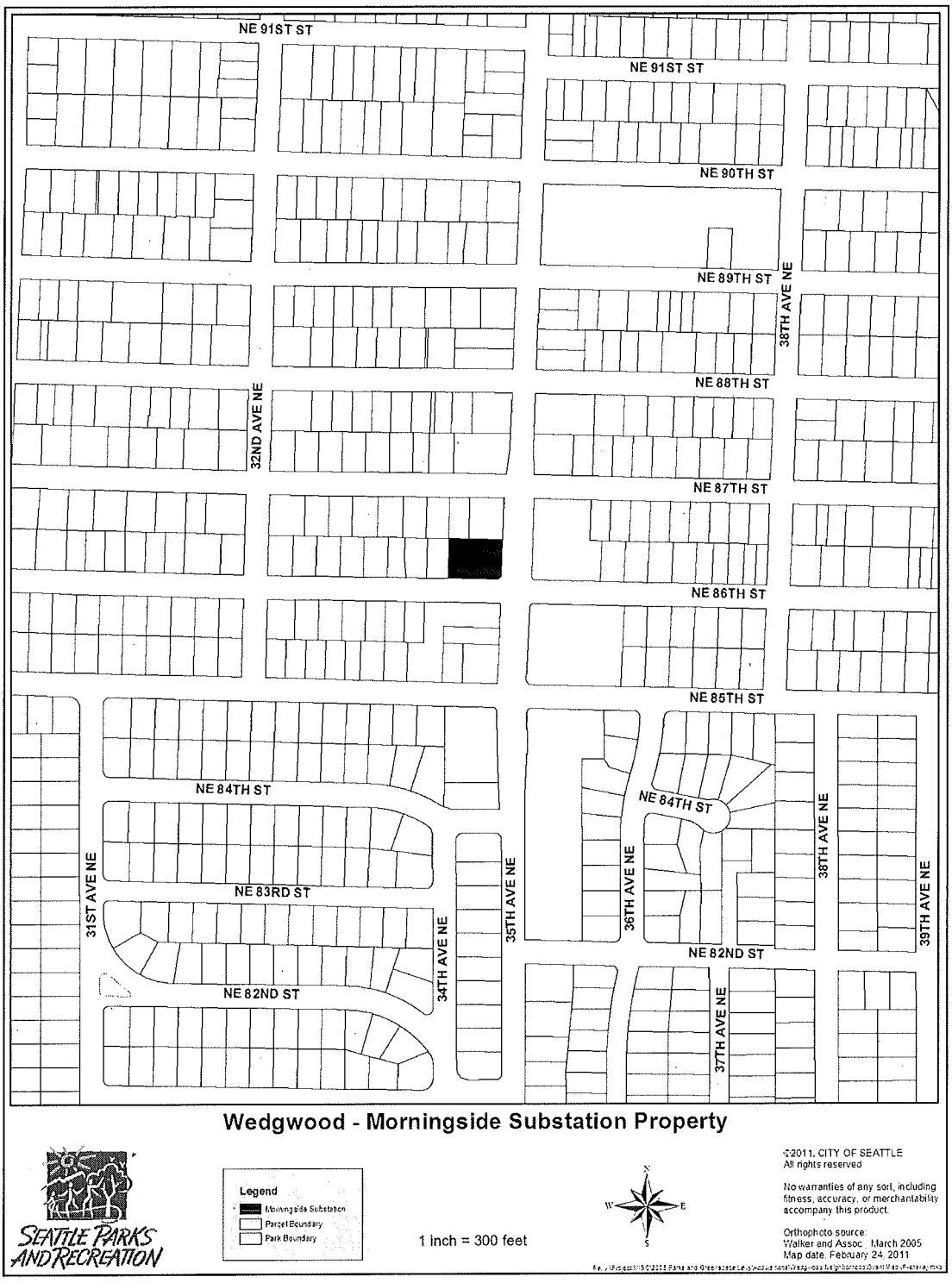
CITY OF SEATTLE COUNCIL CLERK

Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT D
September 6, 2012
Version #1

ATTACHMENT D: Map of Wedgwood Neighborhood Park Acquisition



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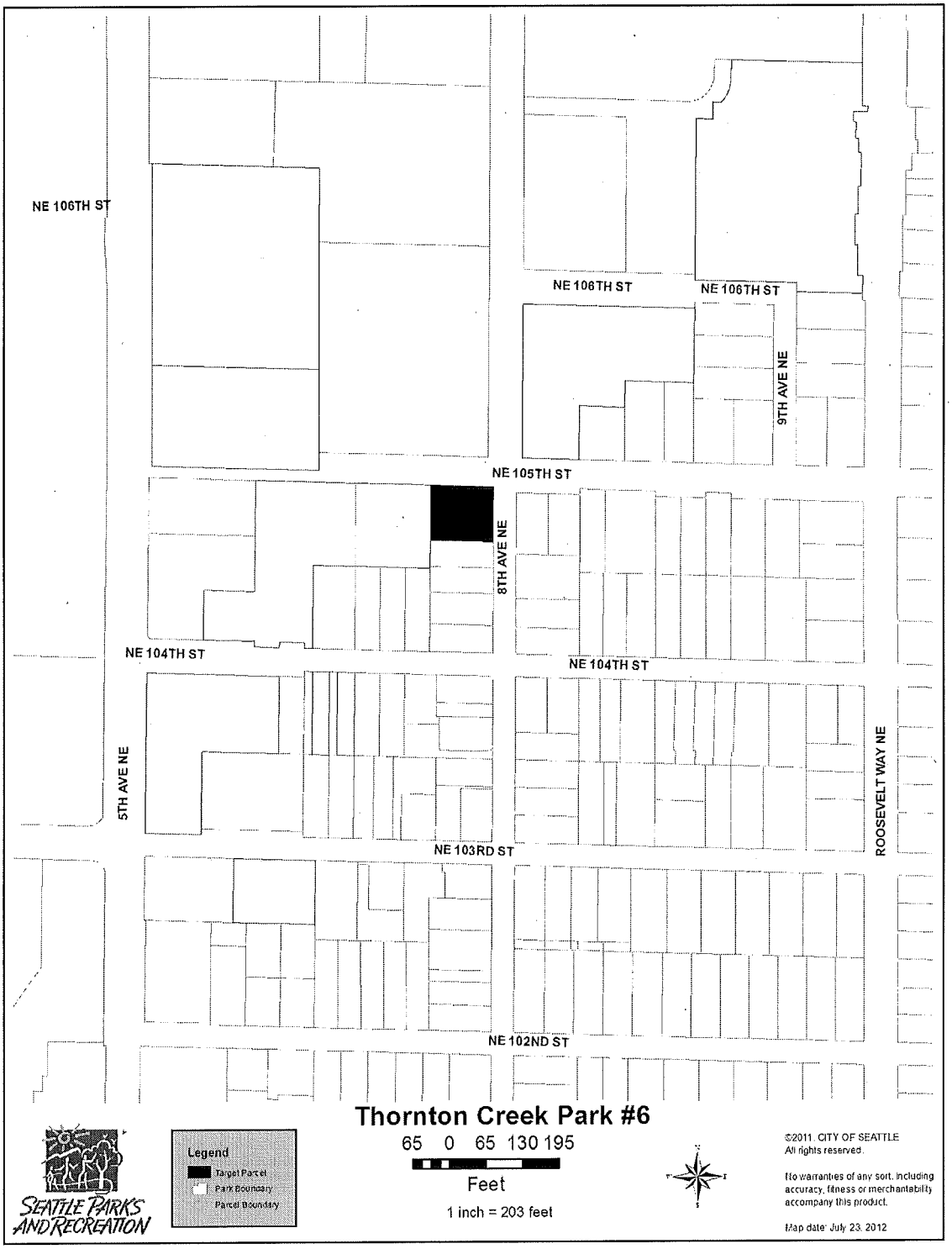
Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT E
September 6, 2012
Version #1

ATTACHMENT E: Map of Thornton Creek Park Natural Area #6 Acquisition



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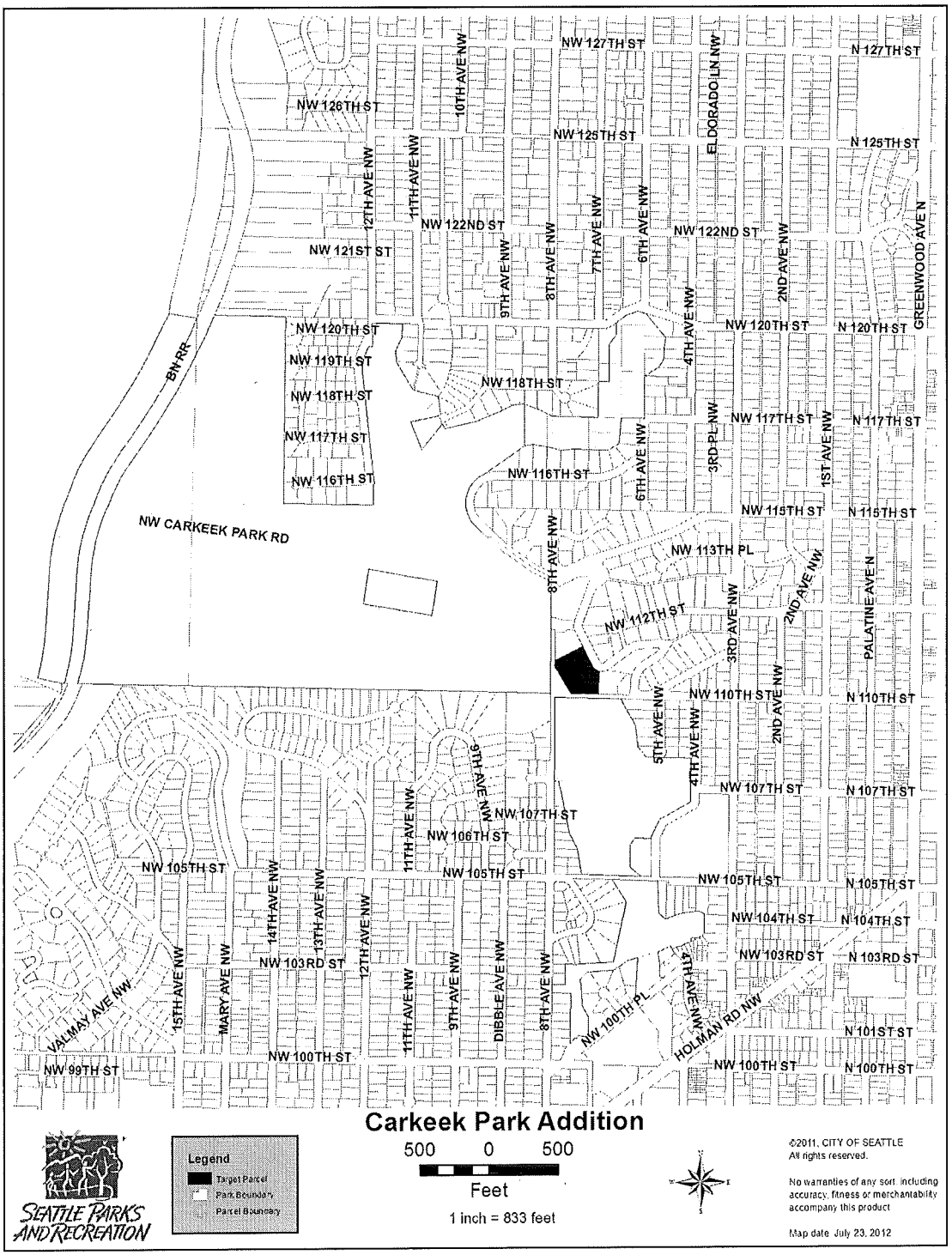
Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT F
September 6, 2012
Version #1

ATTACHMENT F: Map of Carkeek Park Acquisition



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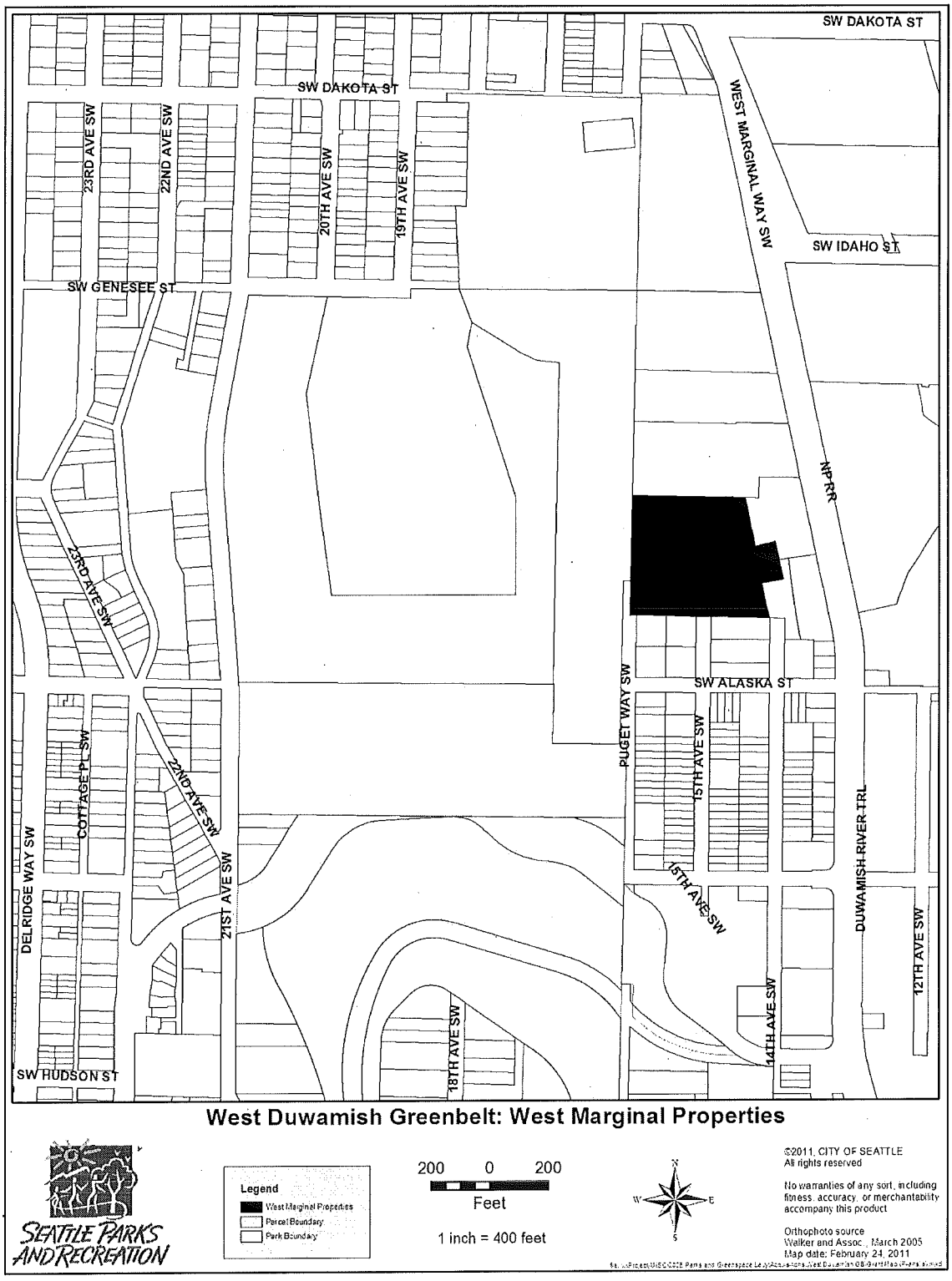
Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT G
September 6, 2012
Version #1

ATTACHMENT G: Map of West Duwamish Greenbelt Acquisition



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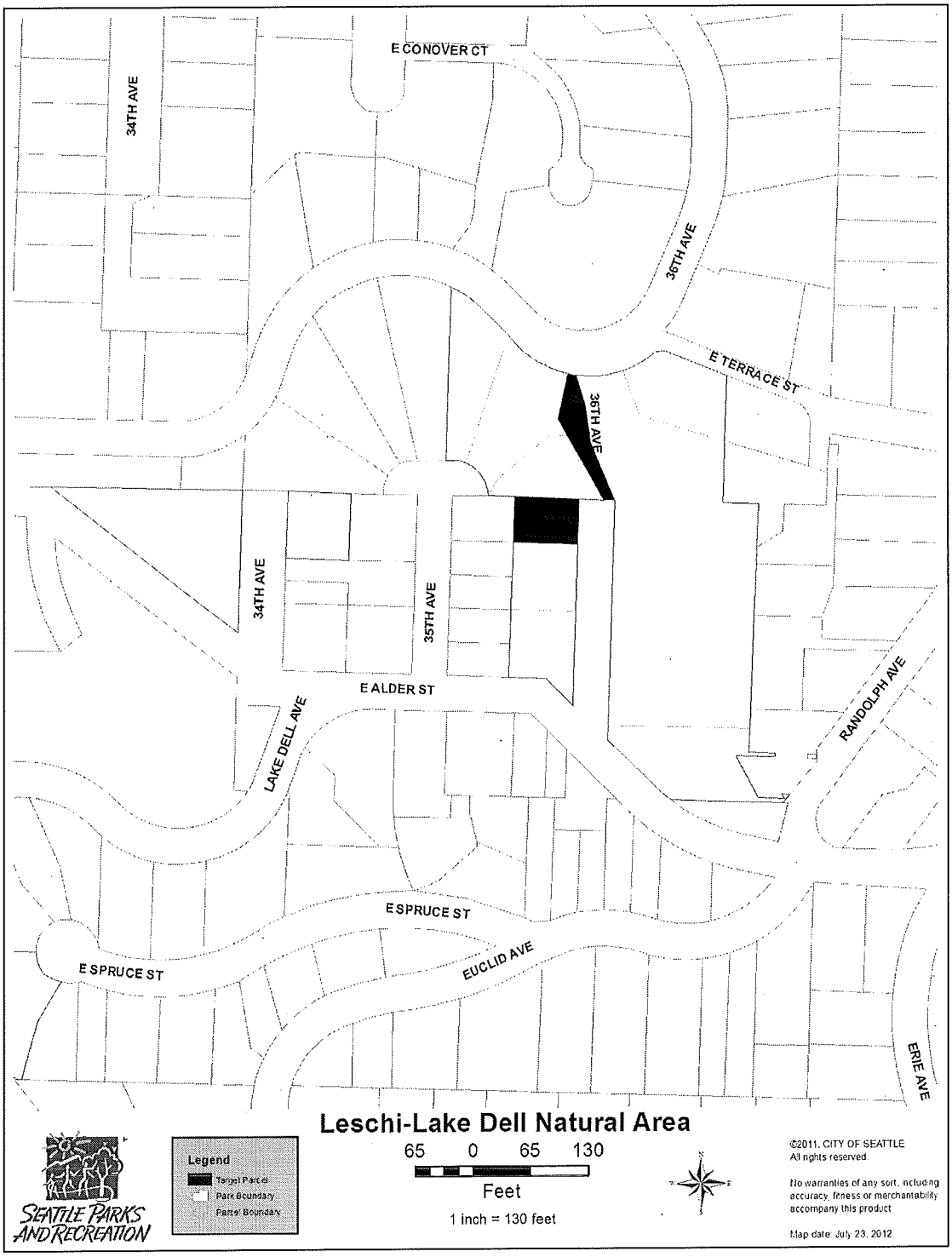
COUNCIL CLERK

Chip Nevins
DPR Conservation Futures Levy 12 FISC ATT H
September 6, 2012
Version #1

ATTACHMENT H: Map of Leschi Natural Area Acquisition



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COUNCIL CLERK

City of Seattle
Office of the Mayor

October 30, 2012

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am transmitting the attached proposed Council Bill, which authorizes an amendment to the existing Conservation Futures Levy (CFL) Interlocal Cooperation Agreement between the City of Seattle and King County, and authorizes the City to accept up to $2,455,000 in CFL proceeds.

King County's annual allocations of CFL proceeds, which are funded by a county-wide property tax dedicated to the acquisition of open space, agricultural property, or timberlands, are invaluable in helping the City achieve the goals of the 2008 Parks and Green Spaces Levy (2008 Parks Levy). The 2012 CFL allocations made available by this legislation will be used to help pay for four neighborhood parks (Lake City Urban Village Park, Northeast Capitol Hill Urban Center Park, University District Urban Center Park, and Wedgwood Neighborhood Park), and four greenspace acquisitions (Thornton Creek Park #6 Natural Area, Carkeek Park Addition, West Duwamish Greenbelt, and Leschi Natural Area.) The Wedgwood Neighborhood Park, West Duwamish Greenbelt, and Leschi Natural Area projects are still in negotiation and the others have all been acquired. As a CFL recipient, the City is required to provide at least fifty percent in matching funds. The source of the matching funds for the projects is the 2008 Parks Levy.

This legislation will help the City expand the parks and open spaces that are so highly valued by Seattle residents. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov

STATE OF WASHINGTON – KING COUNTY

--ss.

292030 No. 124073,074,075,076,077

CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCE

was published on

01/02/13

The amount of the fee charged for the foregoing publication is the sum of $99.33 which amount has been paid in full.

MELISSA M. DOWD
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES
11-21-15

Subscribed and sworn to before me on

01/02/2013

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle
Title Only Ordinances

The full text of the following legislation, passed by the City Council on December 10, 2012, and published below by title only, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For information on upcoming meetings of the Seattle City Council, please visit http://www.seattle.gov/council/calendar.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124073

AN ORDINANCE relating to Seattle Public Utilities; declaring a fire hydrant easement in King County Parcel No. 9528101615 surplus to the City of Seattle's utility needs; and authorizing the Director of Seattle Public Utilities to execute a Relinquishment of Easement relinquishing the easement.

ORDINANCE NO. 124074

AN ORDINANCE relating to water services of Seattle Public Utilities; revising facilities charges for service to wholesale customers, and amending Seattle Municipal Code Chapter 21.04.440 in connection therewith.

ORDINANCE NO. 124075

AN ORDINANCE relating to Seattle Public Utilities; declaring the residential property at 10042 Rainier Avenue S. surplus to the City's needs and authorizing the Director of Seattle Public Utilities to sell the real property through an open competitive process.

ORDINANCE NO. 124076

AN ORDINANCE relating to the solid waste system of Seattle Public Utilities; prohibiting recyclable material from disposal in construction and demolition garbage containers and railhead intermodal containers, as well as at the City's transfer stations; establishing a construction waste recycling facility certification program; requiring the submittal of waste diversion reports by certain construction and demolition waste generators; and amending Seattle Municipal Code Sections 21.36.089 and 21.36.922.

ORDINANCE NO. 124077

AN ORDINANCE relating to Conservation Futures Levy proceeds; authorizing the Mayor to amend the Interlocal Cooperation Agreement between the City of Seattle and King County as authorized by City of Seattle Ordinance 114978; and authorizing the deposit of 2011 Supplemental and 2012 allocations from King County Conservation Futures Levy proceeds into the City of Seattle's 2008 Parks Levy Fund.

Date of publication in the Seattle Daily Journal of Commerce, January 2, 2013.

1(29-2030)

Page 2 of affidavit